

Message Text

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PAGE 01 GENEVA 03293 301204Z

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ACTION ORM-02

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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 9635

UNCLAS GENEVA 3293

E.O. 11652: NA

TAGS: SREF ICEM

SUBJ: REIMBURSEMENT OF ICEM FOR INDOCHINESE PROGRAM SUPPORT FOR
CALENDAR YEAR 1975

REF: GENEVA 3275

FOLLOWING LETTER SENT TODAY BY MISSION (HA) TO ICEM
DIRECTOR THOMAS IN REPLY TO HIS LETTER OF APRIL 29 (REFTEL):
QUOTE. REFERENCE IS MADE TO YOUR LETTER TO ME OF APRIL 29, 1976
WHICH, IN TURN, REFERS TO THE DISCUSSIONS WE AND OUR STAFFS
HAVE HELD IN THE PAST FEW DAYS CONCERNING THE DIRECT AND
OVERHEAD CHARGES INCURRED AS A RESULT OF THE INDOCHINA
REFUGEE PROGRAM IN 1975. I REGRET TO NOTE FROM YOUR LETTER
THAT ICEM MAINTAINS ITS POSITION IN REGARD TO THESE CHARGES,
WITH THE EXCEPTION OF A RELATIVELY SMALL SUM RESULTING FROM
AN OVERCHARGE IN INVOICING.

THERE IS NO QUESTION THAT COSTS ACTUALLY INCURRED
BY ICEM IN THE EXECUTION OF THIS PROGRAM FOR SUCH ELEMENTS
AS THE HIRE OF ADDITIONAL PERSONNEL, SALARY SUPPLEMENT AND
EXPENDITURES FOR GOODS AND SERVICES, ARE PROPERLY DUE FOR
REIMBURSEMENT. HOWEVER, IT CONTINUES TO BE MY VIEW THAT
CHARGES LEVIED FOR THE SALARIES OF SEVENTEEN PERMANENT
STAFF MEMBERS WHO WERE INVOLVED IN THIS PROGRAM, AND
WHOSE SALARIES WERE ALREADY INCLUDED IN THE 1975 ICEM
BUDGET CANNOT BE JUSTIFIED. THE POINT IS THAT ICEM

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PAGE 02 GENEVA 03293 301204Z

INCURRED NO ADDITIONAL COST FOR THE SERVICES OF THESE

INDIVIDUALS, BEYOND THAT WHICH HAD BEEN PROGRAMMED AND APPROVED FOR CALENDAR YEAR 1975. THEREFORE, IT IS INCORRECT IN MY JUDGEMENT TO REFER TO THESE CHARGES OF \$152,474 AS "EXPENDITURES" OR "COSTS", AS CITED IN OUR LETTER AND IN THE PRICE WATERHOUSE CERTIFICATE, SINCE NO UNPRORAMMED COSTS OR EXPENDITURES WERE ACTUALLY INCURRED BY ICEM IN THIS REGARD. THESE SALARIES HAD ALREADY BEEN PROVIDED FOR IN THE 1975 ICEM ADMINISTRATIVE AND OPERATING BUDGETS, TO WHICH THE UNITED STATES GOVERNMENT HAD CONTRIBUTED GENEROUSLY IN A TOTAL SUM OF OVER THREE MILLION DOLLARS.

SIMILARLY, WHILE ACKNOWLEDGING THE SERVICES RENDERED BY PERSONNEL OF THE HONG KONG OFFICE IN CONNECTION WITH THIS OPERATION, AS CITED IN YOUR LETTER, THE COSTS FOR THIS OFFICE WERE FULLY PROVIDED FOR IN THE 1975 ICEM BUDGET. ACCORDINGLY, ALTHOUGH APPROPRIATE SERVICES WERE RENDERED BY THIS OFFICE, ICEM DID NOT ACTUALLY EXPEND PREVIOUSLY UNBUDGETED SUMS FOR THESE SERVICES, AND THEREFORE REIMBURSEMENT BY THE UNITED STATES GOVERNMENT OF THE SUM OF \$30,000 FOR THIS ACTIVITY WOULD NOT, IN MY OPINION, BE JUSTIFIED.

IN VIEW OF THE FOREGOING CONSIDERATIONS, I AM, REGRETTABLY, UNABLE TO ADMINISTRATIVELY APPROVE OR CERTIFY ICEM'S CLAIMS FOR PAYMENT IN THIS REGARD TO THE DEPARTMENT OF STATE, AS CALLED FOR IN MY INSTRUCTIONS. AS I MENTIONED MIGHT BE THE CASE DURING OUR FIRST MEETING SHOULD AN IMPASSE RESULT, I HAVE THEREFORE REFERRED THE MATTER BACK TO WASHINGTON FOR ITS FURTHER CONSIDERATION AND INSTRUCTIONS. UNQUOTE. DALE

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